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INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE  
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RUEHIT/AMCONSUL ISTANBUL 2827  
RHMFIUU/CDR USCENTCOM MACDILL AFB FL  
RUEAIIA/CIA WASHDC  
RHEFDIA/DIA WASHDC  
RUEKJCS/JOINT STAFF WASHDC  
RHEHNSC/NSC WASHDC  
RUEKJCS/SECDEF WASHDC  
RUEHVEN/USMISSION USOSCE 3133

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SUBJECT: TURKMENISTAN: DFM HAJIYEV GIVES OFFICIAL  
EXPLANATION OF ANNANIYAZOV CASE

11. (U) Sensitive but unclassified. Not for public Internet.

12. (SBU) SUMMARY: DFM Wepa Hajiyeve gave DCM the official explanation for the arrest and conviction of Gulgeldy Annaniyazov. In short, Annaniyazov was convicted of illegally crossing borders and using a fake passport to do it. According to Hajiyeve, he received the maximum -- 11 years in prison -- because he was a multiple offender and had a prior conviction. Hajiyeve asserted the conviction was not politically-motivated, even though the prior conviction was for political activity. While society has opened up some since the death of Niyazov, the current leadership is no less suspicious of dissidents or more tolerant of criminal activity than the previous one. END SUMMARY.

13. (SBU) DFM Wepa Hajiyeve met with DCM December 5 to give her an official explanation of the case of Gulgeldy Annaniyazov, who was sentenced to 11 years in prison in October. Hajiyeve asserted that Annaniyazov's trial was open and his conviction was not politically-motivated. Instead, he had received 10 years in prison for violating article 214, section 2 of the criminal code (illegally crossing a border) and another year for violating article 217, section 3 of the same law (use of a false passport). Hajiyeve said that since July 2002, Annaniyazov had used a fake Turkmenistan passport in the name of Niyamat Anilov to travel internationally. In July 2002, using this passport, Annaniyazov went to Russia by train and then returned. In August 2002, he flew to Russia via Kazakhstan. This time, Russian authorities discovered that Annaniyazov was not using a passport in his own name and returned him to Kazakhstan. Hajiyeve then alleged that Annaniyazov had sought the help of foreign embassies and international organizations in Kazakhstan in order to obtain political refugee status, after which he moved to Norway.

14. (SBU) On May 25, 2007, six months after the death of the former president, Niyazov, Annaniyazov visited Kazakhstan again, using the fake passport. He went to the Turkmen embassy in Astana and tried to apply for a passport in his real name. He told embassy officials that he wanted to return to Turkmenistan, because he believed there would be greater freedom under the new leadership. He vowed, however, to enter Turkmenistan illegally, if they did not approve his

application. He crossed into Turkmenistan illegally on June 124.

15. (SBU) Hajiyeve said Annaniyazov was "not a political hero, just a criminal." Hajiyeve emphasized the matter was not political, but rather a case of entering the country on a fake passport. He offered had Annaniyazov expressed a desire to the consular officials to see his family or return to live and work in Turkmenistan, and followed correct procedures, the matter could have been resolved. However, since he had used a fake passport for years and had a prior conviction, he had received the maximum possible sentence. (NOTE: Annaniyazov was arrested in 1995 for participating in an anti-government demonstration and sentenced to 15 years imprisonment. He was released in 1999. END NOTE.) If Annaniyazov had been a first time offender, Hajiyeve said, he would have received minimal punishment.

16. (SBU) COMMENT: Annaniyazov has a history of political activism in Turkmenistan. Nevertheless, he was convicted of activities that are universally recognized as criminal -- illegally crossing borders and using a fake passport. While society has opened up some since the death of Niyazov, the current leadership is no less suspicious of dissidents or more tolerant of criminal activity than the previous one. END COMMENT.  
MILES